

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

vs.

Criminal Action No.
5:05-CR-205 (DNH)

ELIZABETH A. MCDONALD,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE GOVERNMENT:

HON. GLENN T. SUDDABY
United States Attorney
Northern District of New York
100 S. Clinton Street
P.O. Box 7198
Syracuse, New York 13261-7198

RICHARD SOUTHWICK, ESQ.
Assistant U.S. Attorney

FOR DEFENDANT:

OFFICE OF STANLEY COHEN STANLEY L. COHEN, ESQ.
119 Avenue D
New York, New York 10009

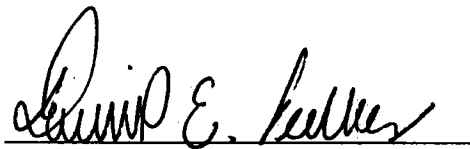
ORDER APPROVING WAIVER OF APPEARANCE AT ARRAIGNMENT

Defendant has been charged by indictment with unlawfully fleeing a checkpoint operated by United State Customs and Border Protection, U.S. Border Patrol on Route 11 in the Town of Dekalb in a motor vehicle being a maroon Dodge Stratus bearing New York Registration CRK 1040

at a speed in excess of the legal speed limit of 55 miles per hour, in violation of 18 U.S.C. § 758. Defendant and defendant's counsel, Stanley L. Cohen, Esq., have completed a written form advising the court that Elizabeth A. MacDonald wishes to waive her right to appear at a formal arraignment on the pending indictment, pursuant to Rule 10 of the Federal Rules of Criminal Procedure, as amended.

Based upon the defendant's voluntary representations, as confirmed by her attorney, and the understanding that Mr. Cohen has explained the consequences of the waiver of appearance to his client, I accept her waiver as knowing and voluntary. Accordingly, it is hereby

ORDERED that the clerk is directed to enter a plea of not guilty to Indictment No. 5:05-CR-205 (DNH), dated April 28, 2005, on behalf of the defendant, Elizabeth A. MacDonald, such plea to be docketed as having been entered on the date of the signing of this order.

A handwritten signature in black ink, appearing to read "David E. Peebles", is written over a horizontal line.

David E. Peebles
U.S. Magistrate Judge

Dated: May 13, 2005
Syracuse, NY